

**Notice of Intent to Commence**

**Fisher Creek Canyon**

S/003/027

**Small Mine Operation**

**Operator:**

**William L Bown  
842 West 400 North  
West Bountiful, Utah 84087  
(801) 295-0601**



5/003/027

**Contents of Notice**

***Copy 43 CFR 3809.1-3 Regs.***

***Copy "Notice Of Location"  
Fisher #1 Claim***

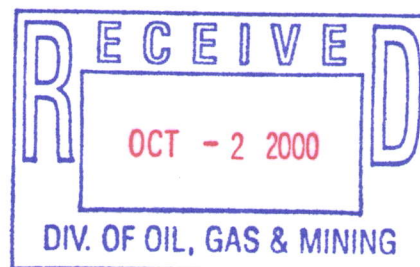
***YR. 2000 Maintenance Fee List***

***Outline of Proposed Operations***

***Quarry Pictorial***

***General Location Map***

***Base Map @ 1" = 500'***





(b) Public reporting burden for this information is estimated to average 16 hours per response for notices and 32 hours per response for plans of operations, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to the Information Collection Clearance Officer (783), Bureau of Land Management, Washington, DC 20240, and the Office of Management and Budget, Attention Desk Officer for the Interior Department, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503, referring to information collection clearance number 1004-0176.

[62 FR 9099, Feb. 28, 1997]

### **§ 3809.1 Operations.**

#### **§ 3809.1-1 Reclamation.**

All operations, whether casual, under a notice, or by a plan of operations, shall be reclaimed as required in this title.

#### **§ 3809.1-2 Casual use: Negligible disturbance.**

No notification to or approval by the authorized officer is required for casual use operations. However, casual use operations are subject to monitoring by the authorized officer to ensure that unnecessary or undue degradation of Federal lands will not occur.

#### **\* § 3809.1-3 Notice: Disturbance of 5 acres or less.**

(a) All operators on project areas whose operations, including access across Federal lands to the project area, cause a cumulative surface disturbance of 5 acres or less during any calendar year shall notify the authorized officer in the District office of the Bureau of Land Management having jurisdiction over the land in which the claim(s) or project area is located. Prior to conducting additional operations under a subsequent notice covering substantially the same ground, the operator shall have completed reclama-

tion of operations which were conducted under any previous notice. Notification of such activities, by the operator, shall be made at least 15 calendar days before commencing operations under this subpart by a written notice or letter.

(b) Approval of a notice, by the authorized officer, is not required. Consultation with the authorized officer may be required under paragraph (c)(3) of this section when the construction of access routes are involved. Notices properly filed under this section constitute authorization under part 8340 of this title (Off-Road Vehicles).

(c) The notice or letter shall include:

(1) Name and mailing address of the mining claimant and operator, if other than the claimant. Any change of operator or in the mailing address of the mining claimant or operator shall be reported promptly to the authorized officer;

(2) When applicable, the name of the mining claim(s), and serial number(s) assigned to the mining claim(s) recorded pursuant to subpart 333 of this title on which disturbance will likely take place as a result of the operations;

(3) A statement describing the activities proposed and their location in sufficient detail to locate the activities on the ground, and giving the approximate date when operations will start. The statement shall include a description and location of access routes to be constructed and the type of equipment to be used in their construction. Access routes shall be planned for only the minimum width needed for operations and shall follow natural contours, where practicable, to minimize cut and fill. When the construction of access routes involves slopes which require cuts on the inside edge in excess of 3 feet, the operator may be required to consult with the authorized officer concerning the most appropriate location of the access route prior to commencing operations;

(4) A statement that reclamation of all areas disturbed will be completed to the standard described in § 3809.1-3(d) of this title and that reasonable measures will be taken to prevent unnecessary or undue degradation of the Federal lands during operations.



## § 3809.1-4

(d) The following standards govern activities conducted under a notice:

(1) Access routes shall be planned for only the minimum width needed for operations and shall follow natural contours, where practicable to minimize cut and fill.

(2) All tailings, dumps, deleterious materials or substances, and other waste produced by the operations shall be disposed of so as to prevent unnecessary or undue degradation and in accordance with applicable Federal and State Laws.

(3) At the earliest feasible time, the operator shall reclaim the area disturbed, except to the extent necessary to preserve evidence of mineralization, by taking reasonable measures to prevent or control on-site and off-site damage of the Federal lands.

(4) Reclamation shall include, but shall not be limited to:

(i) Saving of topsoil for final application after reshaping of disturbed areas have been completed;

(ii) Measures to control erosion, landslides, and water runoff;

(iii) Measures to isolate, remove, or control toxic materials;

(iv) Reshaping the area disturbed, application of the topsoil, and revegetation of disturbed areas, where reasonably practicable; and

(v) Rehabilitation of fisheries and wildlife habitat.

(5) When reclamation of the disturbed area has been completed, except to the extent necessary to preserve evidence of mineralization, the authorized officer shall be notified so that an inspection of the area can be made.

(e) Operations conducted pursuant to this subpart are subject to monitoring by the authorized officer to ensure that operators are conducting operations in a manner which will not cause unnecessary or undue degradation.

(f) Failure of the operator to prevent undue or unnecessary degradation or to complete reclamation to the standards described in this subpart may cause the operator to be subject to a notice of noncompliance as described in § 3809.3-2 of this title.

[45 FR 78909, Nov. 26, 1980; 45 FR 82934, Dec. 17, 1980, as amended at 48 FR 8816, Mar. 2,

### § 3809.1-4 Plan of operations: When required.

An approved plan of operations is required prior to commencing:

(a) Operations which exceed the disturbance level (5 acres) described in § 3809.1-3 of this title.

(b) Any operation, except casual use, in the following designated areas:

(1) Lands in the California Desert Conservation Area designated as controlled or limited use areas by the California Desert Conservation Area plan;

(2) Areas designated for potential addition to, or an actual component of the national wild and scenic rivers system,

(3) Designated Areas of Critical Environmental Concern;

(4) Areas designated as part of the National Wilderness Preservation System and administered by the Bureau of Land Management;

(5) Areas designated as closed to off-road vehicle use as defined in subpart 8340 of this title.

(6) The area designated as the King Range Conservation Area pursuant to 16 U.S.C. 460y *et seq.*, as amended by section 602 of the Federal Land Policy and Management Act of 1976.

(c) Plans properly filed and approved under this section constitute authorization under part 8340 of this title (Off-Road Vehicles).

[45 FR 78909, Nov. 26, 1980; 45 FR 82934, Dec. 17, 1980, as amended at 48 FR 8816, Mar. 2, 1983; 59 FR 44856, Aug. 30, 1994]

### § 3809.1-5 Filing and contents of plan of operations.

(a) A plan of operations must be filed in the District Office of the Bureau of Land Management having jurisdiction over the Federal lands in which the claim(s) or project area is located.

(b) No special form is required for filing a plan.

(c) The plan shall include:

(1) The name and mailing address of the operator (and claimant if not the operator). Any change of operator or change in the mailing address shall be promptly reported to the authorized officer;

(2) A map, preferably a topographic map, or sketch showing existing and/or proposed routes of access, aircraft

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*Indep*

\*\*\*\*NOTICE OF LOCATION\*\*\*\*

BOOK 19 PAGE 513

NOTICE IS HEREBY GIVEN, that the undersigned have located and now claim valuable deposit of BUILDING STONE. Said claim consisting of 160 acres within and on applicable section (s). Claim located in SW 1/4 SEC. 8 T 13 N R 13 W

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The above described claim is named FISHER #1  
Located this 1<sup>ST</sup> day of SEPT, 1993.

NAMES OF LOCATORS

WILLIAM L BOWN

TRISTINA H BOWN

RONALD J BOWN

JANET T BOWN

JEFFREY C BOWN

EMMA S BOWN

PRESTON E BOWN

STEPHEN H HARKNESS



WILLIAM L BOWN  
842 WEST 400 NORTH  
WEST BOUNTIFUL, UT. 84087

**Maintenance Fee List**

<u>Item</u>	<u>Claim Name</u>	<u>UMC#</u>
1	Boulder Haven	353614
2	Brown Ridge #2	353615
3	Brown Ridge #3	353616
4	Burnt Canyon	365879
5	Burnt Canyon #2	366785
7	Burnt Canyon #3	366786
8	Conglomerate	353617
9	Enterprise Mill-site	353618
10	Fisher #1	353619
11	Fisher #2	360879
12	Fisher #3	355712
13	Fisher #4	355713
14	Golden Eagle #2	353621
15	Golden Eagle #3	353622
16	Golden Eagle #4	353623
17	Golden Eagle #5	353624
18	Golden Eagle #6	353625
19	Golden Eagle #7	355714
20	Gray-Gold	353626
21	Rusty Rock	353627
22	Sunshine #1	353628
23	Sunshine #2	353629
24	Sunshine #3	353630
25	Sunshine #4	355715
26	White Lace	364080
27	White Lace #2	366786
28		
29		
30		

Total Number of Claims 27 Total Amount of Fees \$2,700.00

Yr. 8/23/00

UTAH STATE OFFICE  
RECEIVED  
ACCOUNTS UNIT

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DEPT. OF INTERIOR  
BUREAU OF LAND MGMT

### ***Proposed Operations***

Operations to begin on or about May 15, 2001 ( conditions permitting ). It is likely that this operation will be active for many years. For purposes of this Notice, a completion date of November 30, 2025 is here submitted.

**Access:** Access is achieved by traveling to Park Valley, Utah, turning north off of Utah 30 immediately west of the Palmer Store, and traveling north westerly along this county road. At a point  $\frac{1}{4}$  mile into section 20, regular county maintenance stops. Road proceeds to a point where it intersects the line between sections 17 and 20. At this point a locked gate must be accessed. Aprox.  $\frac{1}{8}^{\text{th}}$  of a mile past the locked gate the road forks. Fisher Creek Canyon is accessed by turning right at this fork and proceeding just less than 1 mile. From this gate, approximately 1,350' to a point immediately prior to where the road crosses Fisher Creek.

From this point it is proposed that the operator complete the reclamation of portions of the existing 4 wheel drive road that negotiates the west side of Fisher Creek Canyon, and subsequent construction and improvement of proposed quarry access road as detailed and out lined on the Base Map as submitted with this Notice.

**Reclamation:** Portions of the existing road are not adequate to insure safe travel to and from the proposed quarry area. These portions have been highlighted in green on the accompanying Base Map. It is proposed that the operator reclaim these portions. Portions of the existing road are adequate for safe travel to and from the quarry area with a minimum of improvement. These portions have been highlighted in yellow on the accompanying Base Map. It is proposed that the operator make such improvements upon these portions as to render them safe and feasible for travel.

Specific reclamation treatments of the "green" portions would include, but not be limited to ripping and seeding all two-track portions, and ripping, filling, and smoothing to grade, and re-seeding all "cut" portions. Improvements to the "yellow" portions would consist of widening, and redefining cut and fill, and general "cleaning up", ei, filling run-off trenches, constructing water bars, etc.

**Construction:** Because the major part of the existing road is inadequate and will be reclaimed (all green areas), it will be necessary to construct new road which will be more consistent with grade, and more adequate in terms of width and erosion control. The new road as proposed has been highlighted in orange on the Base Map. Please note that this route as submitted is merely proposed by the operator who is something less than an expert. The operator is hopeful that the regulators will assist in a final route plan which will adequately service the needs of all involved. This route was walked and plotted from cliffs above and other vantage points. It is quite possible that a superior route could be planned.

All effort will be made to utilize "two-track only" whenever and wherever possible along the route.

**Equipment:** Equipment to be utilized in the reclamation of portions of the old road, and in the improvement of others, as well as any new construction will include a track-hoe excavator, a D-8 dozer, an air track w/ compressor, and a wheel loader.

Road will be constructed from the quarry site (highlighted in blue on map) and work down slope generally. Cuts will be made with the excavator, along with general lay out of the route. The dozer will follow smoothing and leveling generally. At points where necessary, the air track will be utilized to drill rock in preparation for blasting. The wheel loader will conclude with water bar construction and final smoothing.

Operator requests that regulators work closely with operator in the construction of proposed road. Planning, flagging, etc. to insure that all will be completed satisfactorily.

**Quarry Operations and Development:** Operations will take place at the site proposed in the extreme west edge of the Fisher #1 Placer Claim. ( see blue shaded area on Base Map ). Presently there are two separate small faces which have been worked in years past. These will be incorporated eventually into one long workable face. Actual production will take place soon after bond is in place. Production will be accomplished by means of pulling stone up and away from ledge from above (west) with an excavator. Material, in boulder form will then be loaded onto awaiting 4 wheel drive and 6 wheel drive two-ton trucks for removal to the Enterprise mill-site for processing. Processing will consist of splitting the stone down into smaller individual



pieces by means of striking the stone along natural thin cleavages with a sledge hammer and hammer and chisel. Stone will then be graded according to size and color and palletized.

**Development of Site:** Initially, top-soil will be removed and stored at the south and north ends of the disturbance. The ledge will then be worked in a side to side fashion north to south or visa-versa. Waste rock will be moved to the east and a working deck formed from the waste. It appears that the deposit is loose enough that drilling and blasting will not be necessary. However, if the ledge becomes too tight, blasting will be introduced. The disturbance will be maintained in it's rectangular conformation at 1.0 acre. Reclamation will be concurrent. Soil stock will be stabilized through seeding, and waste rock retained to fill trenches.

It is planned that 500 tons of material be removed in the first year of development.

There are no permanent structures proposed incident to this plan. There will be no onsite storage of hazardous materials. Fuels, lubes, and oils, will be brought on site as needed, but all containers, vessels, tubes, etc. will be removed the day they are used. The operation will be seasonal, and run from the earliest that conditions will permit ( dry, stable road ) and end when conditions dictate ( prior to unstable, or frigid ).

**Total Acreage proposed for disturbance: ( subject to review )**

Quarry area	1.0 ac.
Roads	2.5 ac.
Parking	<u>.25 ac.</u>
Total	3.75 acres

Please note that Site Map was prepared from on the ground knowledge. All drawings, road plans and locations may differ in actuality of location. No technical instruments were available for use in pinpointing locations for transference onto this plan or it's accompanying Site Map.

**Proposed Reclamation:** Concurrent reclamation practices will hold the overall disturbance to under 5 acres during any one calendar year. These will consist of backfilling, smoothing, recontouring and re-seeding affected areas. Backfilling will be accomplished by means of utilizing available waste rock. Soil will be "borrowed" from the stockpile as needed. Both waste rock and soil will be utilized concurrently.

As operator of the Fisher Canyon Quarry, I William L. Brown  
here state that reclamation of all areas disturbed will be complete to the standard described in sec. 3809-1d of the 43 CFR 3809 regs, and that reasonable measures will be taken to prevent unnecessary or undue degradation of the public lands during operations.



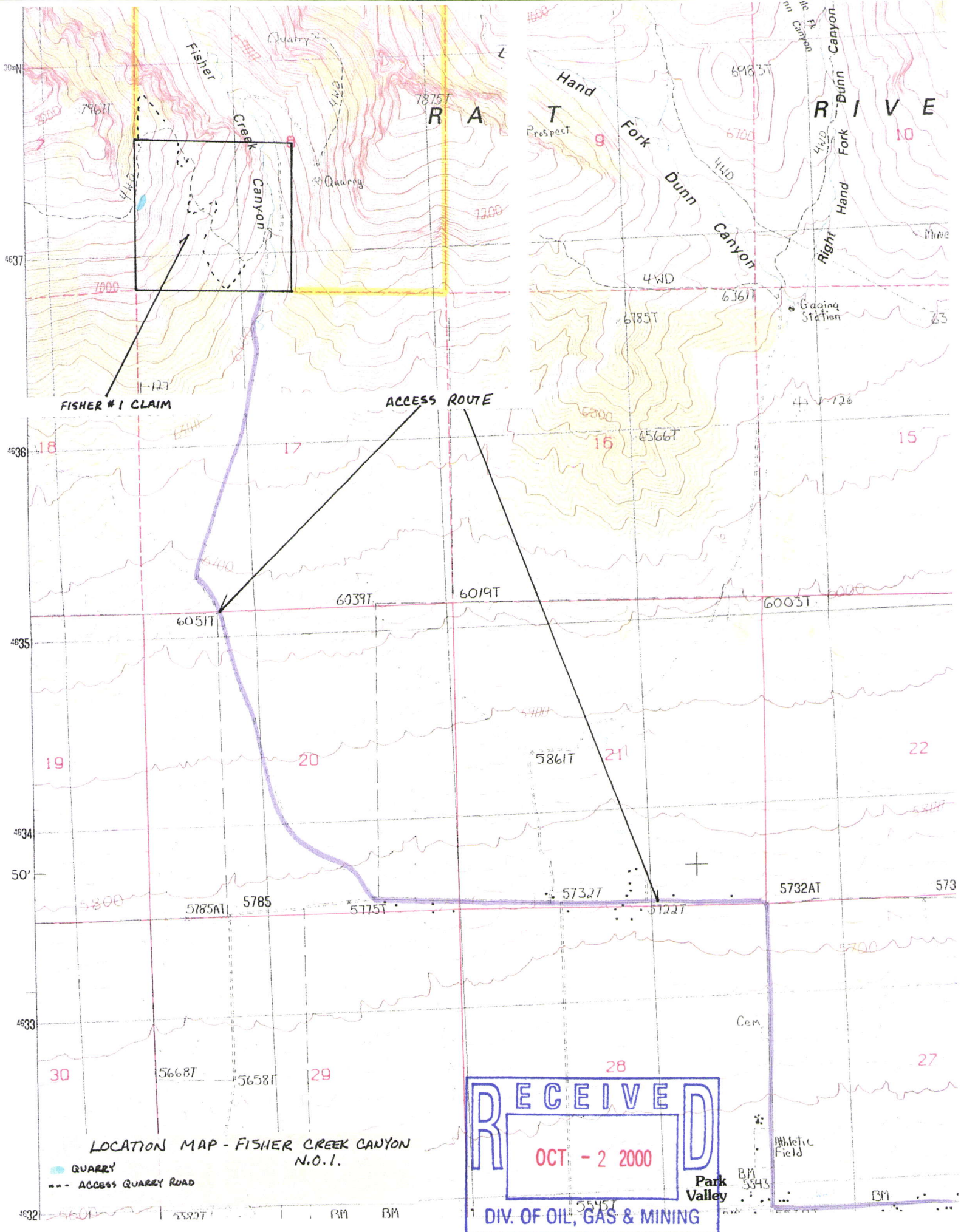


View of North  
Pit from S.E.

Ledges east of South Pit  
Running north to area of  
North Pit





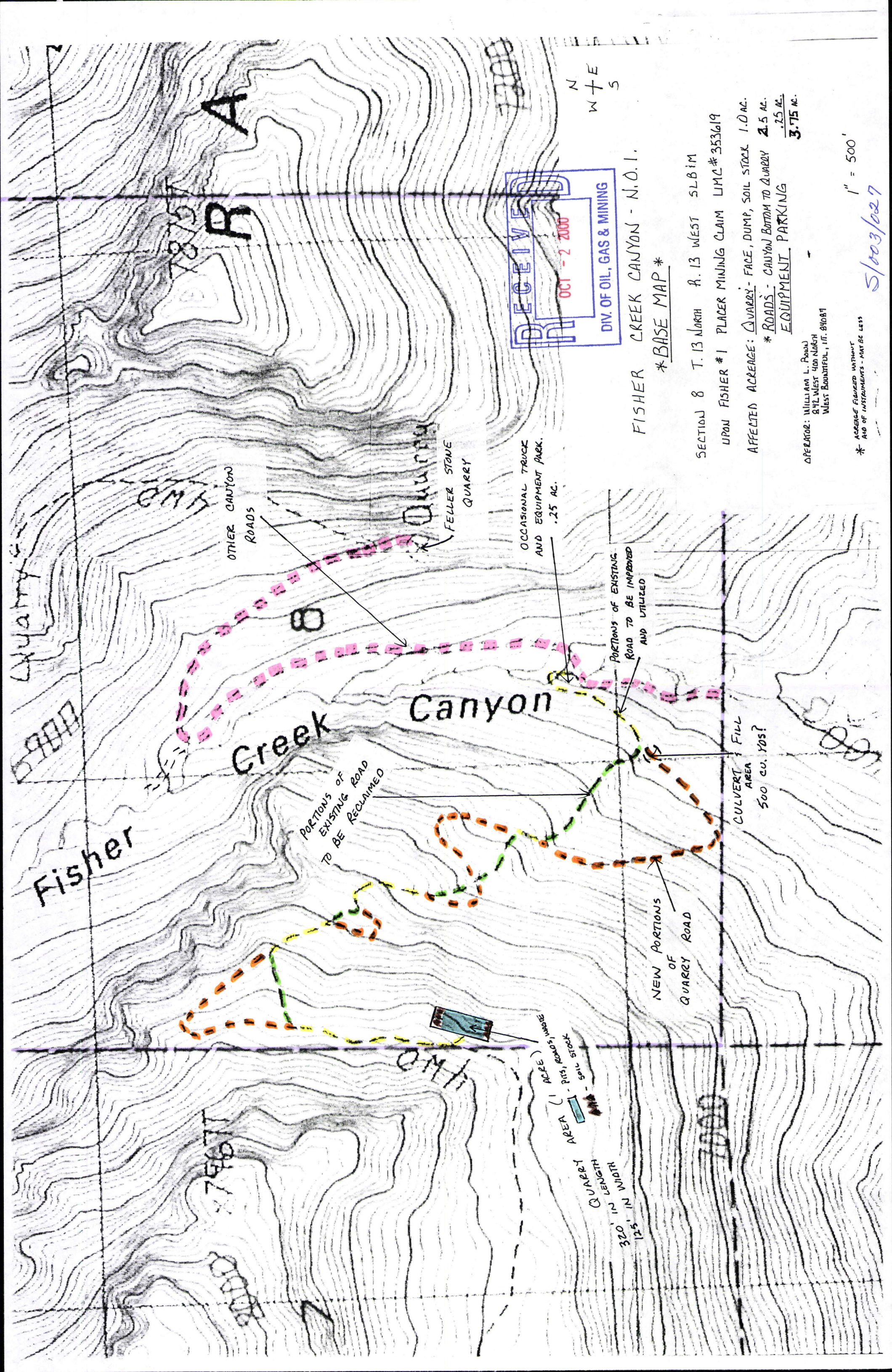


LOCATION MAP - FISHER CREEK CANYON  
N.O.I.

RECEIVED  
OCT - 2 2000  
DIV. OF OIL, GAS & MINING

5/003/027





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OCT - 2 2000  
DIV. OF OIL, GAS & MINING

FISHER CREEK CANYON - N.O.I.

\*BASE MAP\*

SECTION 8 T.13 NORTH R.13 WEST SLB 1M

UPON FISHER #1 PLACER MINING CLAIM LMC# 353619

AFFECTED ACRES: QUARRY - FACE, DUMP, SOIL STOCK 1.0 AC.

\*ROADS - CANYON BOTTOM TO QUARRY 2.5 AC.

EQUIPMENT PARKING .25 AC.

3.75 AC.

OPERATOR: WILLIAM L. POWELL  
842 WEST 400 NORTH  
WEST BOUNDARY, UT. 84081

\* ACRES FILLED WITHOUT  
AID OF INSTRUMENTS - MAY BE LESS

1" = 500'

5/003/027